

Law Offices of David S. Barmak, LLC

David S. Barmak
Licensed in NJ, NY, PA and CT
David@Barmak.com

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Allison J. Whitehead
Licensed in NJ and NY
Allison@Barmak.com

MAILING ADDRESS
Suite 103 #400, 1330 Route 206
Skillman, NJ 08558
(609) 688-0055
(609) 688-1199 Fax
Website: www.barmak.com
Email: info@barmak.com

Main Office Location
1026 Route 518, Suite 240
Rocky Hill, NJ 08553

Branch Offices
Suite 2124
101 West 23rd Street
New York, NY 10010

142 E. Chestnut Hill Road
Litchfield, CT 06759

February 22, 2010

Via EFC & Fax to 973-645-4412

The Honorable Michael A. Shipp
United States District Court - District of New Jersey
Martin Luther King Jr. Federal Building
and United States Courthouse
50 Walnut Street
Newark, NJ 07102

Re: Volpe *et al.* v. Alliance Hand and
Physical Therapy, Inc.
Case Number 2:08-cv-5481

Dear Judge Shipp:

Pursuant to a Court Notice dated February 5, 2010 requiring a joint case status letter, please be advised that the Plaintiffs-Relators and the Defendant have agreed to dismiss the complaint with prejudice and without costs to either party. The Plaintiffs-Relators have no interest in pursuing the case and the United States Attorney has declined to intervene. A motion seeking leave to dismiss the case will be filed on or

before March 1, 2010. This letter is being sent to Your Honor with the consent and agreement of my adversary, Mr. Dineen.

Very truly yours,
LAW OFFICES OF DAVID S. BARMAK, L.L.C.



David S. Barmak

DSB/rld

c: John R. Dineen, Esq. – Via EFC and Fax to 201-784-0236